



CURRENT FUNCTIONAL STATEMENT

DIVISION: Office of General Counsel

OFFICE: Immediate Office

HEADQUARTERS OR REGIONAL OFFICE: Office of General Counsel

ORGANIZATION HEAD: Kevin S. Minoli, Principal Deputy General Counsel
Office of General Counsel

REPORTS TO: Avi S. Garbow, General Counsel
Office of General Counsel

FUNCTIONS:

Immediate Office of the General Counsel. The General Counsel serves as the primary legal advisor to the Administrator; provides legal service to all of the organizational elements of the Agency with respect to all programs and activities of the Agency; provides legal opinions, legal counsel, and litigation support; and assists in the formulation and administration of the Agency's policies and programs as legal advisor. In Regions I and VIII, the General Counsel and the Regional Administrator will each actively participate in selecting the Regional Counsel. For those regions, the General Counsel will be the final selecting official for the Regional Counsel position. In all other regions, the General Counsel consults in the selection of Regional Counsels with the Assistant Administrator for the Office of Enforcement and Compliance Assurance, who has the lead in selecting Regional Counsels. In addition, the General Counsel establishes and evaluates Regional Counsel performance standards, pursuant to 40 CFR 1.31, and consistent with the January 8, 1990 written agreement between the Office of General Counsel and OECA. The Principal Deputy General Counsel and Deputy General Counsel assist the General Counsel in carrying out the duties of the Office of General Counsel, including providing for the internal programs, financial planning, and the human resources administrative operations.

Ethics Staff. Under the supervision of the Principal Deputy General Counsel, who also serves as the Designated Agency Ethics Official, this unit provides legal counsel and other services to the Agency on federal ethics and conflict of interest, Standards of conduct, and professional responsibility. The staff issues ethics guidance and policies, provides litigation support, and develops and delivers training.

FOIA Expert Assistance Team (FEAT). Under the supervision of the Principal Deputy General Counsel, who also serves as the Senior Counsel for the Freedom of Information Act (FOIA) Expert Assistance Team (FEAT) and advises on all legal issues pertaining to selected

FOIA requests that have been determined to be most complex and/or potentially sensitive requests received across the Agency. Utilizing an extraordinary breadth of FOIA knowledge and experience, together with in-depth organizational and external awareness, the team provides advice and guidance to the highest echelons of management within the Agency.



PROPOSED FUNCTIONAL STATEMENT

DIVISION: Office of General Counsel

OFFICE: Immediate Office

HEADQUARTERS OR REGIONAL OFFICE: Office of General Counsel

ORGANIZATION HEAD: Principal Deputy General Counsel
Office of General Counsel

REPORTS TO: General Counsel
Office of General Counsel

FUNCTIONS:

Immediate Office of the General Counsel. The General Counsel serves as the primary legal advisor to the Administrator; provides legal service to all of the organizational elements of the Agency with respect to all programs and activities of the Agency; provides legal opinions, legal counsel, and litigation support; and assists in the formulation and administration of the Agency's policies and programs as legal advisor. In Regions I and VIII, the General Counsel and the Regional Administrator will each actively participate in selecting the Regional Counsel. For those regions, the General Counsel will be the final selecting official for the Regional Counsel position. In all other regions, the General Counsel consults in the selection of Regional Counsels with the Assistant Administrator for the Office of Enforcement and Compliance Assurance, who has the lead in selecting Regional Counsels. In addition, the General Counsel establishes and evaluates Regional Counsel performance standards, pursuant to 40 CFR 1.31, and consistent with the January 8, 1990 written agreement between the Office of General Counsel and OECA. The Principal Deputy General Counsel and Deputy General Counsel assist the General Counsel in carrying out the duties of the Office of General Counsel, including providing for the internal programs, financial planning, and the human resources administrative operations.



PROPOSED FUNCTIONAL STATEMENT

DIVISION: Office of General Counsel

OFFICE: Ethics Office

HEADQUARTERS OR REGIONAL OFFICE: Office of General Counsel

ORGANIZATION HEAD: Senior Counsel
Office of General Counsel

REPORTS TO: General Counsel
Office of General Counsel

FUNCTIONS:

Ethics Office. Under the supervision of the Senior Counsel, this unit provides legal counsel and other services to the Agency on federal ethics and conflict of interest, Standards of conduct, and professional responsibility. The staff issues ethics guidance and policies, provides litigation support, and develops and delivers training.



PROPOSED FUNCTIONAL STATEMENT

DIVISION: Office of General Counsel

OFFICE: FOIA Expert Assistance Team (FEAT) Office

HEADQUARTERS OR REGIONAL OFFICE: Office of General Counsel

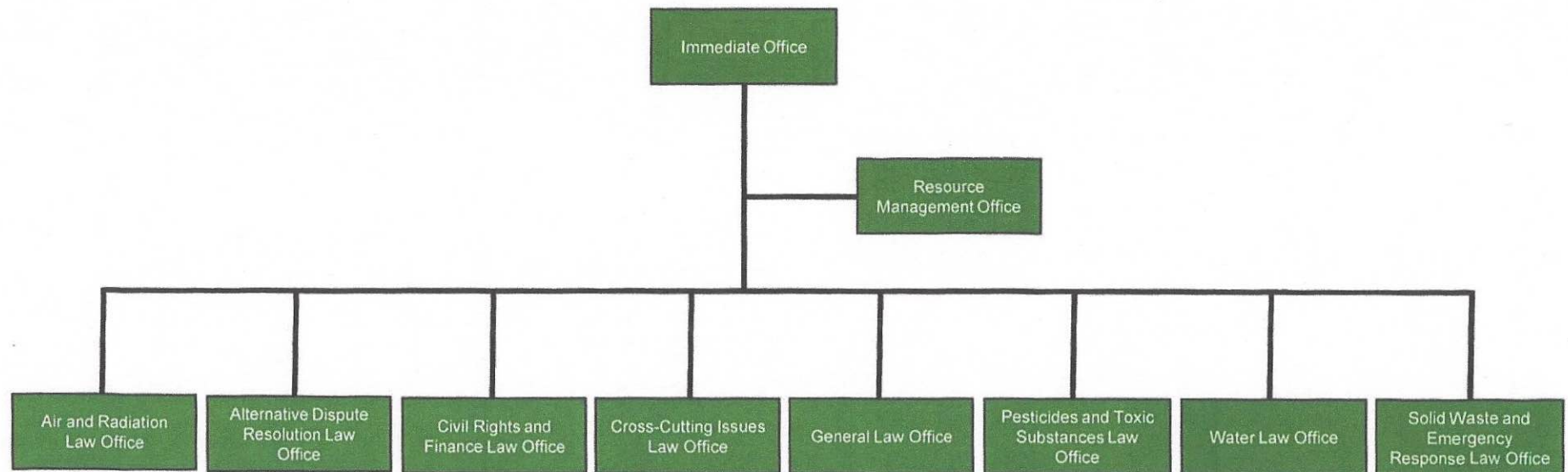
ORGANIZATION HEAD: Senior Counsel
Office of General Counsel

REPORTS TO: General Counsel
Office of General Counsel

FUNCTIONS:

FOIA Expert Assistance Team (FEAT) Office. Under the supervision of the Senior Counsel, this unit provides legal counsel on all issues pertaining to selected FOIA requests that have been determined to be most complex and/or potentially sensitive requests received across the Agency. Utilizing an extraordinary breadth of FOIA knowledge and experience, together with in-depth organizational and external awareness, the team provides advice and guidance to the highest echelons of management within the Agency.

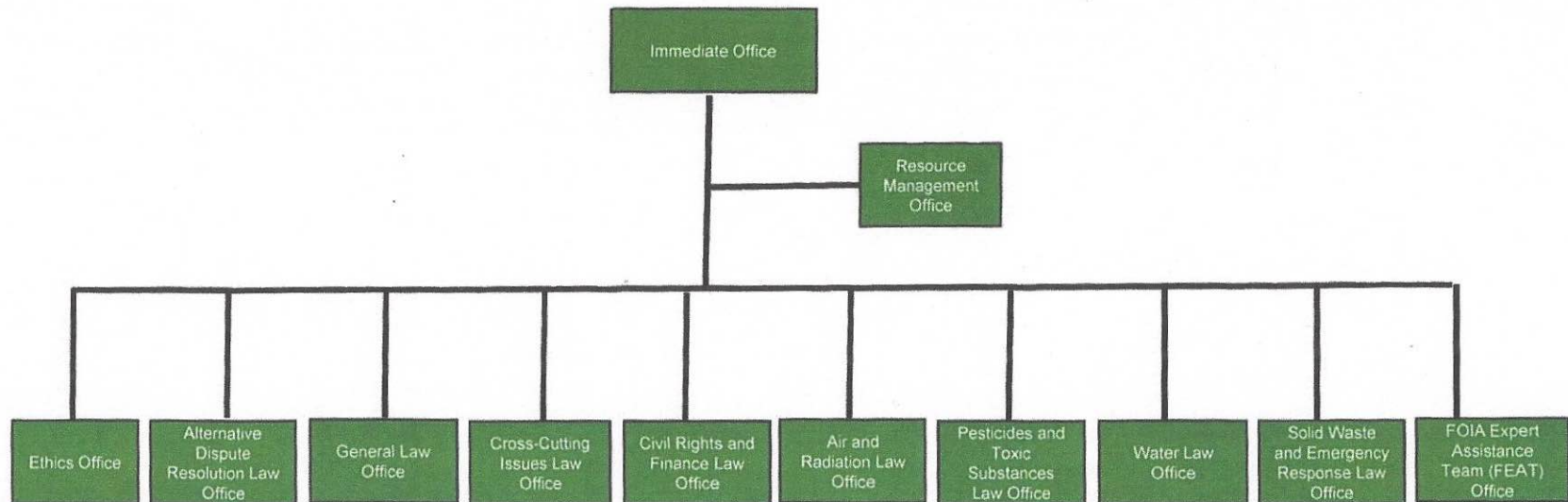
Current Structure for the Office of General Counsel



— Operational Control

- Current structure: The Principal Deputy General Counsel is the supervisor for 22 employees.
- Ethics and FEAT do not approve time and attendance or conduct employee performance evaluations.

Proposed Structure for the Office of General Counsel



— Operational Control

- Proposed structure: The Principal Deputy General Counsel supervises 16 employees instead of 22 employees.
- Ethics Office and FEAT Office will have supervisory responsibilities including approving time and attendance and conducting employee performance evaluations.



REORGANIZATION PROPOSAL

The Reorganization Proposal form must be completed, signed by your Assistant Administrator/Regional Administrator, and submitted to Troy Bixton, OARM, Office of Human Resources, Policy, Planning and Training Division and to your designated HR Shared Service Center Representative via email for review. Please complete this form in its entirety and submit with all required documents and approvals; forms are available at <http://intranet.epa.gov/ohr/programs/reorg/start.htm> If you have any questions regarding completion of this form, please see page 2 for Troy's contact information.

A. CONCISE STATEMENT OF CHANGE

1. Provide an executive summary that succinctly explains the proposed change(s) (one paragraph or less).

The Office of General Counsel (OGC) is requesting an **administrative** change to our organizational structure. This administrative change will not impact the functional responsibility for the offices. The change will establish the Senior Counsel position in both the FOIA Expert Assistance Team (FEAT) Office and Ethics Office as first-line supervisors. Both supervisors will have the ability to provide effective oversight for their employees and shoulder the administrative task of approving timecards and leave, travel, and training requests. Supervisory and related managerial duties will occupy 25 percent of the incumbent's time. Therefore, this change will benefit the critical use of the Principal Deputy General Counsel's time and attention towards legal and environmental issues. This proposed action will transition administrative tasks to the first-line supervisors, thus creating a more efficient staff and a high performing organization.

2. Describe the title(s) of the unit(s) affected. N/A

3. Explain the change purpose (e.g., whether the change is due to a new legislative authority, new program authority or shifts in program emphasis).

The change will realign administrative responsibilities to its appropriate directorates, thereby reducing the overall number of employees reporting directly to the Principal Deputy General Counsel (PDGC).

4. Discuss the progress to date based on communications with level approvers and discussions with stakeholders, unions, SSCs, etc.

All parties are on board with the proposed reorganization. Our plan is to work with the unions to secure their support. We will hold a meeting with all parties and discuss the purpose of the reorganization/administrative change and gain their concurrence.

Describe the benefits of this change(s) to the agency (e.g., increased accountability, enhanced communication and coordination, improved efficiency).

The reorganization/administrative change will reduce the workload/span of control for the PDGC and increase the supervisors' accountability for their employees. This change will ensure that OGC remains a high-performing organization ready to address the needs of the agency.

5. Is there an impact between AA/RA offices, between offices within an AA office or between Regional divisions? This change will not affect the AA/RA offices. The change is internal



REORGANIZATION PROPOSAL

to the Office of General Counsel's Immediate Office.

B. ANALYSIS OF IMPACT ON PERSONNEL

1. Will there be an impact on the supervisor-to-staff ratio at the AAship/RAsnip level? (Contact your HRO/PMO for the current ratio). ☐ No ☒ Yes
• If yes, please explain and include your present AAship/RAsnip supervisor-to-staff ratio 1:12 and the proposed AAship/RAsnip supervisor-to-staff ratio 1:11. The Principal Deputy General Counsel supervises 16 employees instead of 22 employees.
2. Will this proposed reorganization: (a) Eliminate positions; (b) Cause a reduction in force; (c) Change how positions are graded; (d) Add new functional units; or (e) Support a VERA/VSIP? ☒ No ☐ Yes
If yes, please explain.
3. Will there be an impact on the diversity of the organization? ☒ No ☐ Yes
If yes, please explain.

C. ADMINISTRATIVE ISSUES (Failure to address all administrative issues may result in a delay in the implementation of the reorganization.)

1. Will there be any physical moves of staff? ☒ No ☐ Yes
If yes, please explain.
2. Will new space be required? ☒ No ☐ Yes
If so, have all technical (computer, telecommunications, etc.) needs been assessed?
3. Will the reorganization require new information systems/technologies, or significant changes to existing ones, and (if so) has it been acquired? ☒ No ☐ Yes
If yes, please explain.
4. Will there be any budgetary impacts? If yes, please explain in detail. ☒ No ☐ Yes
- 5.

D. EPA DIRECTIVES

1. Will any Delegations of Authority, Orders or Manuals be affected? ☒ No ☐ Yes
If yes, please explain and attach the directive affected.

E. ATTACHMENTS (Use the forms provided)

1. Staffing Plan Crosswalk (Use Staffing Plan Template). Contact your servicing HR SSC for information (Do not include social security numbers).
2. Current Organizational Chart.
3. Proposed Organizational Chart (Must include all organization levels).
4. Current Functional Statement.
5. Proposed Functional Statement (Must include all reporting levels).



REORGANIZATION PROPOSAL

Assistant Administrator/Regional Administrator Approval

Name: Avi S. Garbow

Title: General Counsel

Signature: *[Signature]*

Date: 7/27/16

Human Resources Office/Program Management Office Reviewed

Name: Craig E. Lattimore

Title: Director, Resource Management Office

Signature: *[Signature]*

Date: 9/20/16

Human Resources Shared Service Center Approval (Certifies Receipt of this Package)

Name: Arron Helm

Title: Director, Human Resources Management
Division Acting

Signature: *[Signature]*

Date: 9/23/16

Contact Information:

Troy Boston, Management Analyst
Office of Administration and Resources Management
Office of Human Resources
Policy, Planning and Training Division
Workforce Planning Branch
1200 Pennsylvania Avenue, N.W.
Room 1419 WJC East MC-3600A
Washington, D.C. 20460
Office: (202) 564-7419
Fax: (202) 564-1928
boston.troy@epa.gov

ORGANIZATION NAME: HQ, Office of General Counsel

PROPOSED: IMMEDIATE OFFICE - C0000000

PROPOSED: FOIA Expert Assistance Team (FEAT) Office- CK000000

[illegible]

PROPOSED: Ethics Office-CJ000000

[illegible]

EPA ORGANIZATION CODE CHANGE REQUEST FORM



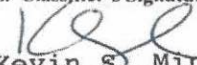
(11/2015 Edition)

Proposed Effective Date: August 22, 2016

REGION/AASHIP:OGC

Instructions: Please complete the Organization code change form and forward it as part of the final reorganization package (without the examples). All requested changes will be reviewed by the agency's reorganization team for conformity with system code change procedures. Failure to provide this information may delay processing of this request. There must ~~one~~ be one line for each Type of Change. Deleted organizations will be inactivated and the Current Organization Name and Organization Code needs to be provided. New organizations start at Type of Change with "New Organization" and fill in the rest to the right. Please provide the City and State, "Duty Location" of the new organization. When Renaming organizations, if it changes in the organizational level then that organization can not be changed. It needs to be listed as a Delete and a New Organization created with the new name. Renamings stay at the same level in the organization heirarchy.

[illegible]

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET		1. DUTY LOCATION Washington, DC		2. POSITION NUMBER	
3. CLASSIFICATION ACTION: a. Reference of Series and Date of Standards Used to Classify this Position					
	b. Title	c. Pay Plan	d. Series	e. Grade	f. CLC
Official Allocation	Senior Counsel (Ethics)	SL	905	00	
4. Supervisor's Recommendation	Senior Counsel (Ethics)	SL	905	00	
5. ORGANIZATIONAL TITLE OF POSITION (if any) Senior Leader			6. NAME OF EMPLOYEE Justina C. Fugh		
7. ORGANIZATION (Give complete organizational breakdown)			c.		
a. U.S. ENVIRONMENTAL PROTECTION AGENCY			f.		
b. Office of General Counsel			g.		
c. Ethics Office			h. Employing Office Location		
d.			i. Organization Code CJ000000		
8. SUPERVISORY STATUS					
<input type="checkbox"/> [2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards. <input checked="" type="checkbox"/> [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG. <input type="checkbox"/> [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10). <input type="checkbox"/> [6] Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part I of the Work Leader Grade Evaluation Guide (WLGE) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system. <input type="checkbox"/> [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGE. <input type="checkbox"/> [8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.					
9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.					
a. Typed Name and Title of Immediate Supervisor Kevin S. Minoli, Principal Deputy General Counsel			d. Typed Name and Title of Second-Level Supervisor Avi S. Garbow, General Counsel		
b. Signature 		c. Date 8/23/16	e. Signature 		f. Date 8/24/16
10. OFFICIAL CLASSIFICATION CERTIFICATION: I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.					
a. Promotion Potential <input checked="" type="checkbox"/> This position has no promotion potential <input type="checkbox"/> If position develops as planned and employee progresses satisfactorily, this position has known promotion potential to grade:					
b. PSB Risk Designation <input type="checkbox"/> 1 Low <input type="checkbox"/> 2 Moderate <input type="checkbox"/> 3 High Security Clearance Required: <input type="checkbox"/> Yes <input type="checkbox"/> No		c. Financial Disclosure Form <input type="checkbox"/> OGE-450 Required <input type="checkbox"/> OGE-278 Required <input type="checkbox"/> No financial disclosure forms required		d. "Identical, Additional" (IA) Allocation This position <input type="checkbox"/> may be IA'ed <input type="checkbox"/> may not be IA'ed <input type="checkbox"/> is limited to current incumbent	
		e. FLSA Determination <input type="checkbox"/> NONEXEMPT <input checked="" type="checkbox"/> EXEMPT* (*check exemption category) <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Professional <input type="checkbox"/> Executive		f. Functional Classification Code	
g. Bargaining Unit Code 8888		h. Check, if applicable: <input type="checkbox"/> Medical Monitoring Required <input type="checkbox"/> Extramural Resources Management Duties (___ % of time) <input type="checkbox"/> This position is subject to random drug testing (___)		i. Classifier's Signature  Kevin S. Minoli, PDGC	
				j. Date 8/23/16	
11. REMARKS					

Senior Counsel for Ethics (SL 905-00)

INTRODUCTION

This position is located in the Office of General Counsel, Ethics Office. The incumbent serves as the Alternate Designated Agency Ethics Official (ADAEO) and advises on all legal issues pertaining to federal government ethics, professional responsibility, the Stop Trading on Congressional Knowledge (STOCK) Act, the Emoluments Clause of the United States Constitution, and the Hatch Act. Pursuant to 5 C.F.R. 2638.202(b), the incumbent serves in an acting capacity in the absence of the Designated Agency Ethics Official (DAEO). Utilizing an extraordinary breadth of ethics knowledge, the incumbent provides advice and guidance to the highest echelons of management within the Agency.

SUPERVISORY CONTROLS

Incumbent receives broad general direction and policy guidance from the Principal Deputy General Counsel/DAEO. Incumbent exercises independent judgment, initiative, and discretion in areas of responsibility. Incumbent is given wide latitude in preparing legal opinions and decisions. Recommendations are usually tantamount to final Agency decision, and work is reviewed only for consistency with Agency policy, precedential effects, and overall quality.

MAJOR DUTIES AND RESPONSIBILITIES

The incumbent assists the DAEO in coordinating and managing the Agency's overall Ethics Program as described in 5 C.F.R. Part 2638. The incumbent is the alter ego to the DAEO for: (1) serving as liaison with the Office of Government Ethics (OGE); (2) reviewing and certifying public financial disclosure reports and implementing OGE's INTEGRITY.gov system; (3) initiating and maintaining ethics education and training programs; and (4) monitoring administrative actions and sanctions. In this role, in the absence of the DAEO, or as directed by the DAEO, the incumbent reviews and certifies the financial disclosure reports of Presidential nominees to agency positions submitted prior to Senate confirmation. This responsibility is not redelegable further.

The incumbent's specific duties include assisting the DAEO and serving as the alter ego to the DAEO, as appropriated, to ensure: (1) coordination with the Office of Government Ethics regarding the Agency's ethics program; (2) maintenance of an effective system and procedure for the collection, filing, review, and, when applicable, public inspection of the financial disclosure reports as required in the Ethics in Government Act and other applicable statutes and regulations; (3) proper maintenance of all financial disclosure reports filed throughout the Agency, including in INTEGRITY, and effective and consistent review for conformance with all applicable laws and statutes; (4) development, maintenance and publication within the Agency of a list of circumstances or situations which have resulted or may result in noncompliance with ethics laws and regulations; (5) development and implementation of an education program for agency employees concerning all ethics and standards of conduct matters consistent with applicable laws and regulations; (6) development and implementation of a counseling program

for agency employees concerning all ethics and standards of conduct matters including post-employment; (7) maintenance of appropriate records on advice rendered; (8) prompt and effective action, including administrative action and remedies, as necessary, undertaken for violations or potential violations of standards of conduct, filing of financial disclosure reports, potential or actual conflicts of interest disclosed on financial disclosure reports, or potential or actual violations of other laws governing the conduct of EPA employees; (9) periodically evaluation of the Agency's standard of conduct regulations, financial disclosure systems and post-employment enforcement systems to determine their adequacy and effectiveness in relation to current Agency responsibilities; (10) review of information developed by the Office of Inspector General (OIG) or any other audit group to determine whether such information discloses a need for revising Agency standards of conduct or for taking prompt corrective action to remedy actual or potential conflict of interest situations; (11) utilization of the services of the OIG, when appropriate, including referral to and acceptance of matters from the office; (12) maintenance of a list of persons to whom delegations of authority are made pursuant to 5 C.F.R. § 2638.204(a); and (13) prompt and complete provision of any information required by the Office of Government Ethics.

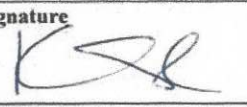
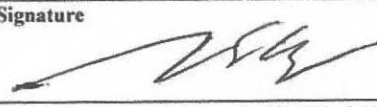
The incumbent is responsible for overseeing the day-to-day aspects of the Agency's ethics program, including, but not limited to: (a) dealing with inquiries from the public and from members and committees of Congress regarding ethics matters; (b) coordinating the activities of Deputy Ethics Officials (DEOs) pursuant to 5 C.F.R. § 2638.204; (c) managing the public financial statement filing and review process and implementation of INTEGRITY, and the collection and review of confidential financial reports by the DEOs; (d) preparation of reports required by the Office of Government Ethics; (e) coordinating with the Department of Justice's Office of Legal Counsel, the Office of Government Ethics and other appropriate agencies regarding the Ethics Program, including any litigation regarding the Ethics Program; (f) referring possible violations of law or waste, fraud and abuse to the Office of Inspector General (OIG) as required or as appropriate; and (g) assisting OIG investigations with information on the ethics laws and regulations, or recommendations on possible disciplinary or remedial action following OIG reports of investigation.

The incumbent is responsible for providing day-to-day direction, oversight and management of the Ethics Office. Supervisory and related managerial duties will occupy less than 25 percent of the incumbent's time.

The incumbent serves as the lead on coordinating and assigning day-to-day ethics activities and work assignments to other ethics office staff. Incumbent identifies and assesses ethics issues and determines the work to be handled by ethics staff, including issues to be addressed and their relative priority, in consultation with staff members and the DAEO, as appropriate. Incumbent reviews and coordinates the work of ethics staff consistent with the experience and ability of each staff member. The incumbent also provides feedback to staff on assigned tasks to ensure the delivery of consistent, coherent, and sound ethics advice. Incumbent consults with the DAEO on issues relating to performance, promotions, and awards, and keeps the DAEO informed of significant ethics and administrative program management issues.

QUALIFICATIONS

Incumbent must have an LL.B. and J.D. degree from an accredited law school; must be admitted to practice before the highest court of a State, U.S. territory, the District of Columbia, or the Commonwealth of Puerto Rico; and must maintain active status as a member of the bar of one of these jurisdictions. The incumbent must have substantial experience in providing legal advice and counsel at EPA, other Federal or state agencies, or private practice. In addition, the incumbent must possess facility in oral and written expression, and the ability to produce a large volume of written work in a short period of time. Finally, the incumbent must possess the ability to deal effectively and tactfully with members of the public and with EPA employees at all levels regarding matters of the greatest personal sensitivity and confidentiality.

United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET		1. DUTY LOCATION Washington, DC		2. POSITION NUMBER	
3. CLASSIFICATION ACTION: a. Reference of Series and Date of Standards Used to Classify this Position					
	b. Title	c. Pay Plan	d. Series	e. Grade	f. CLC
Official Allocation	Senior Counsel FOIA Expert Assistance Team (FEAT) Office	SL	0905		
4. Supervisor's Recommendation	Senior Counsel FOIA Expert Assistance Team (FEAT) Office	SL	0905		
5. ORGANIZATIONAL TITLE OF POSITION (if any) Senior Counsel (FEATO)			6. NAME OF EMPLOYEE Becky Dolph		
7. ORGANIZATION (Give complete organizational breakdown)			c.		
a. U.S. ENVIRONMENTAL PROTECTION AGENCY			f.		
b. Office of General Counsel			g.		
c. FOIA Expert Assistance Team (FEAT) Office			h. Employing Office Location		
d.			i. Organization Code CK000000		
8. SUPERVISORY STATUS					
<input type="checkbox"/> [2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards. <input checked="" type="checkbox"/> [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG. <input type="checkbox"/> [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10). <input type="checkbox"/> [6] Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part I of the Work Leader Grade Evaluation Guide (WLGE) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system. <input type="checkbox"/> [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGE. <input type="checkbox"/> [8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.					
9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.					
a. Typed Name and Title of Immediate Supervisor Kevin S. Minoli, Principal Deputy General Counsel			d. Typed Name and Title of Second-Level Supervisor Avi S. Garbow, General Counsel		
b. Signature 		c. Date 8/23/16		e. Signature  f. Date 8/24/16	
10. OFFICIAL CLASSIFICATION CERTIFICATION: I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.					
a. Promotion Potential <input checked="" type="checkbox"/> This position has no promotion potential <input type="checkbox"/> If position develops as planned and employee progresses satisfactorily, this position has known promotion potential to grade:					
b. PSB Risk Designation <input type="checkbox"/> 1 Low <input type="checkbox"/> 2 Moderate <input type="checkbox"/> 3 High Security Clearance Required: <input type="checkbox"/> Yes <input type="checkbox"/> No		c. Financial Disclosure Form <input type="checkbox"/> OGE-450 Required <input checked="" type="checkbox"/> OGE-278 Required <input type="checkbox"/> No financial disclosure forms required		d. "Identical, Additional" (IA) Allocation This position <input type="checkbox"/> may be IA'ed <input type="checkbox"/> may not be IA'ed <input type="checkbox"/> is limited to current incumbent	
		e. FLSA Determination <input type="checkbox"/> NONEXEMPT <input checked="" type="checkbox"/> EXEMPT* (*check exemption category) <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Professional <input type="checkbox"/> Executive		f. Functional Classification Code	
g. Bargaining Unit Code 8888		h. Check, if applicable: <input type="checkbox"/> Medical Monitoring Required <input type="checkbox"/> Extramural Resources Management Duties (___ % of time) <input type="checkbox"/> This position is subject to random drug testing (___)		i. Classifier's Signature  Kevin S. Minoli, PDGC j. Date 8/23/16	
11. REMARKS					

Senior Counsel (FEAT)
SL-905

I. INTRODUCTION

This position is located in the Office of General Counsel, FOIA Expert Assistance Team (FEAT) Office. The incumbent serves as the Senior Counsel for the Freedom of Information Act (FOIA) Expert Assistance Team (FEAT) Office and advises on all legal issues pertaining to selected FOIA requests that have been determined to be the most complex and/or potentially sensitive requests received across the Agency. Utilizing an extraordinary breadth of FOIA knowledge and experience, together with in-depth organizational and external awareness, the incumbent provides advice and guidance to the highest echelons of management within the Agency through the Agency's FOIA Expert Assistance Team Office.

II. SUPERVISORY CONTROLS

The incumbent receives general direction and policy guidance from the Principal Deputy General Counsel. Within this framework, incumbent is responsible for the direction and implementation of the FOIA Expert Assistance Team (FEAT) Office. Duties are performed with a maximum level of independence, subject to review for attainment of overall objectives and compliance with broad policies.

III. DUTIES AND RESPONSIBILITIES

The incumbent's specific duties include assisting the Principal Deputy General Counsel and acting on behalf of the Principal Deputy General Counsel to ensure the most complex and/or potentially sensitive FOIA requests received across the Agency are managed effectively and efficiently and in compliance with the Freedom of Information Act, 5 U.S.C. § 552, as amended, implementing regulations and applicable policy and guidance. In performing these duties, incumbent will provide oversight and technical direction to the FOIA Expert Assistance Team (FEAT) Office in: 1) reviewing all incoming FOIA request received by the Agency (11,000 requests/year); and 2) identifying those request that, due to the nature of the information requested, will benefit from enhanced coordination and oversight in light of the scope of the request, the number of offices holding documents potentially responsive to the request, the potential sensitivity of the information requested or other unique factors.

The incumbent will: 1) interface with the highest echelons of management (i.e. Deputy Associate Administrators/Deputy Regional Administrators) in the organization responsible for managing the response to the selected requests; 2) work with the designated senior managers in the responsible organizations to provide counseling, training, quality assurance, and technical advice in responding to the selected requests; 3) ensure coordination of all releases of information with senior leadership of the Office of Public Affairs, as appropriate; 4) work with senior leadership of the Office of Intergovernmental Relations to ensure coordination of information released in response to selected FOIAs with information provided in response to requests from Congress.

The incumbent serves as the first line supervisor for the FOIA Expert Assistance Team (FEAT) Office. As such, the incumbent is responsible for: planning and assigning work; evaluating performance; approving timecards and leave, travel and training requests; identifying training needs and supporting employee development and; hearing and resolving

complaints. Supervisory and related managerial duties will occupy less than 25 percent of the incumbent's time.

The incumbent shall develop, cultivate and maintain close working relationships with senior leaders in program and regional offices, including Deputy Assistant Administrators, Deputy Regional Administrators, and Regional Counsels, to ensure the effective utilization of the FOIA Expert Assistance Team (FEAT) Office. The incumbent will exercise leadership to establish and maintain the FOIA Expert Assistance Team (FEAT) Office as a focal point in the oversight and management of highly complex and/or sensitive FOIA requests.

The incumbent performs other duties as assigned that are associated with the executive leadership of the Office of General Counsel.

IV. QUALIFICATIONS

The incumbent must have a LL.B or J.D degree from an accredited law school; must be admitted to practice before the highest court of a State, U.S. territory, the District of Columbia or the Commonwealth of Puerto Rico; and must maintain active status as a member of the bar of one of these jurisdictions. Incumbent must have significant experience in providing legal advice and counsel at EPA, other federal, state, or local agencies, or in private practice.